

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re: ) Chapter 7  
 ) Case No. 15-14825  
Grant & Rebecca Didier, )  
 ) Honorable Donald R. Cassling  
 ) (Kane County)  
Debtors. ) Hearing Date: January 8, 2016  
 ) Hearing Time: 10:30 A.M.

COVER SHEET FOR APPLICATION FOR  
PROFESSIONAL COMPENSATION

Name of Applicant: Elizabeth C. Berg, Trustee

Authorized to Provide  
Professional Services to: Estate

Date of Order Authorizing  
Employment: April 27, 2015

Period for Which  
Compensation is sought: April 27, 2015 to Close of Case

Amount of Fees sought: \$2,610.25

Amount of Expense  
Reimbursement sought: \$ 0.00

This is an: Interim Application     Final Application   X  

If this is not the first application filed herein by this professional, disclose as to all prior fee applications:

<u>Date Filed</u>	<u>Period Covered</u>	<u>Total Requested (Fees &amp; Expenses)</u>	<u>Total Allowed</u>
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The aggregate amount of fees and expenses paid to the Applicant to date for services rendered and expenses incurred herein is: \$0.00.

Dated: December 8, 2015

Elizabeth C. Berg, Trustee of the Estate of  
Grant & Rebecca Didier, Debtors

By: /s/ Elizabeth C. Berg, Trustee

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re	)	Chapter 7
	)	Case No. 15-14825
Grant & Rebecca Didier,	)	Hon. Donald R. Cassling
	)	(Kane County)
Debtors.	)	Hearing Date: January 8, 2016
	)	Hearing Time: 10:30 a.m.

**Application for Allowance and Payment of Final Compensation of Elizabeth C. Berg, as Trustee**

Elizabeth C. Berg, not personally but solely as trustee ("Trustee") of the estate ("Estate") of Grant and Rebecca Didier, debtors ("Debtors"), pursuant to sections 326 and 330 of title 11, United States Code ("Code"), requests this Court to enter an order allowing and authorizing payment to Trustee of \$2,610.25 as final compensation for her services rendered as trustee in this case from April 27, 2015 through the close of this case. In support thereof, Trustee states as follows:

**Introduction**

1. This case was commenced on April 27, 2015, by the filing of a voluntary petition for relief under chapter 7 of the Code.
2. Elizabeth C. Berg is the duly appointed, qualified and acting chapter 7 trustee in this case.
3. As of the commencement of this case, the estate held an interest in post-petition real estate commissions due to one of the debtors ("RE Commissions").
4. The bar date for filing non-governmental claims in this case was September 4, 2015 and the bar date for filing governmental claims was October 26, 2015.

**Prior Compensation**

5. This is the first and final application ("Application") for allowance of compensation filed by Trustee in this case.

6. Trustee has not previously received or been promised any payments for services rendered or to be rendered in this case except as set forth above.

**Services Rendered by Trustee**

7. Since her appointment, Trustee has performed actual, necessary and valuable services on behalf of the Estate. Itemized billing statements describing the services rendered by Trustee from the date of appointment through the close of the case are attached hereto as Exhibit A. The services rendered by Trustee since her appointment in this case include but are not limited to the following:

A. Trustee reviewed and analyzed the Debtors' schedules of assets and liabilities and Debtors' statement of financial affairs; Trustee also conducted a section 341 meeting of creditors at which Trustee examined the Debtors under oath;

B. Trustee asserted the estate's interest in the RE Commissions with the Debtors and recovered approximately \$18,000.00 for the estate;

C. Trustee also investigated the potential recovery monies through Debtors' interest in closely-held real estate development corporation which holds rights under a recapture agreement. Trustee determined recovery unlikely and too far in future, if at all;

D. Trustee invested and accounted for all funds received by the Estate and set up and maintained all bank accounts for the Estate;

E. Trustee set up and maintained a computerized case management system for the Estate in order to efficiently keep track of records relating to the Estate's case history, assets, claims and banking activities;

F. Trustee examined, analyzed and verified proofs of claim filed against the Estate;

G. Trustee attended to tax matters including hiring a tax accountant and overseeing the preparation of estate tax returns;

H. Trustee otherwise administered this Estate and directed the allocation, liquidation and distribution of assets to creditors herein.

**Funds Collected and Disbursed by Trustee**

8. Trustee has collected the sum of \$18,602.50 on behalf of the Estate. Trustee has made \$730.74 in disbursements in this case as of the date hereof.

9. Copies of the Successor Trustee's *Form 1 Individual Estate Property Record and Report* and *Form 2 Cash and Receipts Record* showing the disposition of the assets of this Estate are attached to the Successor's Trustee's Final Report, filed simultaneously herewith, as Exhibits A and B, respectively.

**Compensation Requested**

10. During the period covered by this Application, Trustee has spent 14.50 hours rendering services on behalf of this Estate with a value of \$3,103.50. Trustee estimates that she will spend an additional three (3) hours rendering services with a value of \$695.00 to obtain approval of the final report, make a final distribution to creditors, and prepare and file her final account.

11. The maximum compensation allowable to Trustee pursuant to section 726 of the Code, based upon the receipts and disbursements listed above, is \$2,610.25 as follows:

25% of the first \$ 5,000.00	\$1,250.00
10% of the next \$13,602.50	<u>\$1,360.25</u>
Total allowable compensation	\$2,610.25

12. Based upon the caliber of the services rendered by Trustee, the results achieved in this case, and the efficiency of administration, Trustee requests allowance and payment of final compensation for her services rendered as trustee from April 27, 2015 through the closing of the case in the amount of \$2,610.25. This amount

represents reasonable compensation for the services rendered by Trustee and is equal to the maximum compensation allowable as set forth in paragraph 11 above.

13. After payment of the Estate's administrative claims, Trustee anticipates that there will only be sufficient funds available to make a partial distribution to the priority unsecured creditors and that general unsecured creditors will not receive a distribution.

14. An affidavit pursuant to Rule 2016 of the Federal Rules of Bankruptcy Procedure, executed by Elizabeth C. Berg, as trustee, is attached hereto as Exhibit B.

15. Trustee requests that the compensation requested herein be paid from the Estate funds in her possession.

#### **Status of the Case**

16. The Trustee has liquidated or abandoned all of the assets belonging to this Estate and the Trustee has completed her review and analysis of the claims filed against the Estate.

17. Trustee has completed and filed her Final Report simultaneously herewith.

WHEREFORE, Elizabeth C. Berg, as trustee of the Estate of Grant and Rebecca Didier, debtors, requests the entry of an order providing the following:

A. Allowing to Trustee final compensation in the amount of \$2,610.25 for actual and necessary professional services rendered and to be rendered on behalf of this Estate from April 27, 2015 through the closing of this case ; and

B. Authorizing Trustee to pay the compensation awarded from the Estate funds held by Trustee as part of her final distribution in this case; and

C. For such other and further relief as this Court deems appropriate.

**Dated: December 8, 2015**

**Elizabeth C. Berg, as trustee of the  
estate of Grant & Rebecca Didier, debtors**

**By: /s/ Elizabeth C. Berg, as trustee  
Elizabeth C. Berg**

**Elizabeth C. Berg  
Baldi Berg, Ltd.  
20 N. Clark Street, Suite 200  
Chicago, IL 60602  
(312) 726-8150**

**Trustee's Final Fee Application**

**Grant & Rebecca Didier, Debtors  
Case No. 15-14825**

**Trustee's Itemized Billing Statements**

**Exhibit A**

**Baldi Berg, Ltd.**  
**20 N. Clark Street**  
**Suite 200**  
**Chicago, IL 60602**

Phone: (312) 726-8150

Fax: (312) 470-6323

FEIN: 36-4352753

**Invoice submitted to:**

December 3, 2015

Invoice No: 02651

Elizabeth C. Berg, Trustee  
 Baldi Berg, Ltd.  
 20 N. Clark Street  
 Suite 200  
 Chicago, ILLINOIS 60602

**In Reference to:** *Didier - Trustee Matters***Professional Services**

<u>Date</u>	<u>Staff</u>	<u>Description</u>	<u>Hours</u>	<u>Charges</u>
4/29/2015	ECB	Review email from D's counsel re new case involving real agents with scheduled closings (.1) Preliminary review of schedules (.3)	0.40 \$325.00/ hr	\$130.00
4/30/2015	ECB	TC with Debtor's counsel, K. Gaertner re consent to debtor's receipt of RE commission at post-petition closing scheduled for 5-1-15 and procedures for delivery of future commissions to BK Estate (.1) and re recapture agreement with city of Downers Grove (.1)	0.20 \$325.00/ hr	\$65.00
4/30/2015	ECB	Memo to staff re set up of TR database and additional research on debtors' financial affairs	0.20 \$325.00/ hr	\$65.00
5/28/2015	ECB	Review Debtors' schedules of projected RE commissions (.1) Review and compare HUD-1 for Bieth Road closing (.2) Correspondence to debtors' counsel to approve retention of exempt portion of Beith commission and request turnover of remainder (.1)	0.40 \$325.00/ hr	\$130.00
6/02/2015	JMM	Request EIN from IRS (.1), Open new bank account in TCMS (.1), Deposit funds into bank account (.1), Send Check to Associated Bank via Fed Ex (.1)	0.40 \$175.00/ hr	\$70.00



**Baldi Berg, Ltd**

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6/03/2015	ECB	Draft email to Becky Didier to confirm receipt of recapture agreements and commission checks (.1)	0.10 \$325.00/ hr	\$32.50
6/04/2015	JMM	Deposit check into TCMS (.1), Deposit check with Associated Bank via scanner (.1)	0.20 \$175.00/ hr	\$35.00
6/25/2015	ECB	Exchange emails with Becky Didier re final closing and las pre-petition commission	0.10 \$325.00/ hr	\$32.50
6/26/2015	JMM	Deposit Commission Check into TCMS (.1), Deposit check w/ Bank via scanner (.1)	0.20 \$175.00/ hr	\$35.00
7/13/2015	ECB	Open and approve June 2015 Bank Statements	0.10 \$325.00/ hr	\$32.50
7/13/2015	JMM	Process June 2015 Bank Statement (.1) Reconcile Bank Statement with TCMS (.1)	0.20 \$185.00/ hr	\$37.00
8/17/2015	ECB	Open and review July 2015 bank statements	0.10 \$325.00/ hr	\$32.50
8/18/2015	JMM	Process July 2015 Bank Statement (.1) Reconcile Bank Statement with TCMS (.1)	0.20 \$185.00/ hr	\$37.00
8/31/2015	ECB	Meet with JMM, review status and update TR database; Set case on TR closing schedule	0.10 \$325.00/ hr	\$32.50
9/15/2015	ECB	Open and approve Aug 2015 bank statement	0.10 \$325.00/ hr	\$32.50
9/16/2015	ECB	Memo to JMM re prep of TFR	0.10 \$325.00/ hr	\$32.50
9/16/2015	JMM	Process August 2015 Bank Statement (.1) Reconcile Bank Statement with TCMS (.1)	0.20 \$185.00/ hr	\$37.00

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9/18/2015	JMM	Review claims filed in case in preparation of TFR (.8), Update information on TCMS (.2)	1.00 \$185.00/ hr	\$185.00
9/24/2015	ECB	Review email from Debtor re IRS Notices (.1) , check bar date and case status(.1) and prep corres to Ds counsel, K. Gaertner (.1)	0.30 \$325.00/ hr	\$97.50
9/25/2015	ECB	TC with RKP re case status and prep of annual case status report for office of US Trustee	0.10 \$325.00/ hr	\$32.50
10/09/2015	RKP	Review case file and docket for information needed to prepare TIR (.2); update system information for preparation of TIR (.2)	0.40 \$195.00/ hr	\$78.00
10/11/2015	RKP	Prepare Forms 1 and 2 for review by E. Berg	0.30 \$195.00/ hr	\$58.50
10/14/2015	JMM	Review Bills, update description of bills, missing time, prep for TFR and fee app	1.50 \$185.00/ hr	\$277.50
10/23/2015	RKP	Finalize TIR-Forms 1, 2, 3 (.1); prepare for submission to UST and to efile (.1)	0.20 \$195.00/ hr	\$39.00
10/26/2015	ECB	TC with Grant Didier re case status and treatment of priority tax claims (.1) confer with JMM re prep of TFR and final tax returns(.1) Review unsecured and priority claims (.2) Review and approve administrative claims (.1)	0.40 \$325.00/ hr	\$130.00
10/26/2015	JMM	Prepare Form 1 and Form 2 for email (.1), Draft email to Accountant re: determination on filing tax returns (.4)	0.50 \$185.00/ hr	\$92.50
11/02/2015	JMM	Review email from Accountant re: which debtor received commission checks (.1), Review emails between TR and debtor's counsel, review Schedule B attachment (.2), Draft response to Accountant re: commission checks (.1)	0.40 \$185.00/ hr	\$74.00

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11/04/2015	ECB	Preliminary review of Estate's final fed and state tax returns:	0.30 \$325.00/ hr	\$97.50
11/05/2015	JMM	Process October 2015 Bank Statement (.1) Reconcile Bank Statement with TCMS (.1)	0.20 \$185.00/ hr	\$37.00
11/05/2015	JMM	Draft Letter to IRS re: 2015 Federal Tax Return Filing (.4), Draft Letter to IDOR re: 2015 State Tax Return Filing (.4), Draft Prompt Determination Letter to IDOR re: 2015 State Tax Return (.3), Draft Prompt Determination Letter to IRS re: 2015 Fed Tax Return (.3)	1.40 \$185.00/ hr	\$259.00
11/16/2015	JMM	Review case file for information needed to prepare TFR and other related documents (.4); Email to TR re: questions regarding case (.1); Update TCMS with information needed in order to prepare TFR and NFR (.4)	0.90 \$185.00/ hr	\$166.50
11/16/2015	JMM	Draft Trustee Fee Application (1.2); Prepare coversheet, proposed order and affidavit (.3); Prepare TFR (1.0) and NFR (.4); Review and edit Trustee Final Report package (.4)	3.30 \$185.00/ hr	\$610.50

Total Fees \$3,103.50

Total New Charges \$3,103.50

Previous Balance \$0.00

Balance Due \$3,103.50

***Timekeeper Summary***

<u>Name</u>	<u>Hours</u>	<u>Rate</u>
Elizabeth C Berg	3.00	\$325.00
Jason M Manola	0.80	\$175.00
Jason M Manola	9.80	\$185.00
Ricki K Podorovsky	0.90	\$195.00

14.50

**Trustee's Final Fee Application**

**Grant & Rebecca Didier, Debtors  
Case No. 15-14825**

**Rule 2016 Affidavit**

**Exhibit B**

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re	)	Chapter 7
	)	
Grant & Rebecca Didier,	)	Case No. 15-14825
	)	
Debtors.	)	Hon. Donald R. Cassling
	)	(Kane County)

**Trustee's Affidavit Pursuant to Rule 2016**

State of Illinois )  
County of Cook )

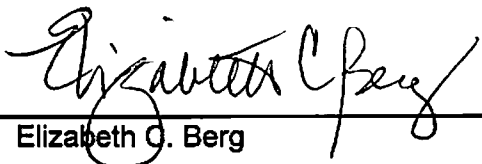
I, Elizabeth C. Berg, being first duly sworn upon oath, do depose and state as follows:

1. I am the duly appointed, qualified and acting successor trustee in this case and I have personal knowledge of the facts set forth herein.

2. I have read the Application for Allowance and Payment of Final Compensation of Elizabeth C. Berg as trustee ("Application") and all of the factual matters set forth therein are true to the best of my knowledge, information and belief. I or my agents pursuant to my direction performed the services set forth and described in the Application.

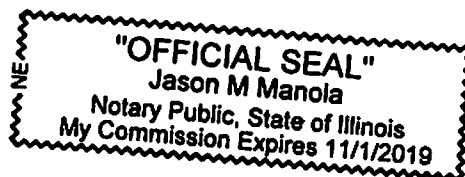
3. I have not entered into any agreement with any other person or persons for the sharing of compensation to be received for services rendered in connection with this matter, except among the principals and associates of Baldi, Berg, Ltd., a law firm at which I was employed during the pendency of this case. I have not previously received payment of any compensation for services rendered incurred in connection with this case.

4. Further affiant sayeth naught.

  
Elizabeth C. Berg

Subscribed and sworn to before me  
on December 7<sup>th</sup>, 2015

  
Notary Public



**Exhibit B**